

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JOHNNY M. HUNT,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 3:23-cv-00243
)	
SOUTHERN BAPTIST CONVENTION;)	Judge Campbell
GUIDEPOST SOLUTIONS LLC; and)	Magistrate Judge Frensey
EXECUTIVE COMMITTEE OF THE)	Jury Demand
SOUTHERN BAPTIST CONVENTION,)	
)	
Defendants.)	

**PLAINTIFF’S REPLY IN SUPPORT OF MOTION TO VACATE PROTECTIVE
ORDER**

INTRODUCTION

The Southern Baptist Convention (“SBC”) and the Executive Committee of the Southern Baptist Convention (“EC”) (collectively “Defendants”) have no standing to raise any objection for Jane Doe, especially when she is represented by counsel in this case. Neither Jane Doe, nor her counsel, are asserting any interest in protecting her privacy or anonymity in this litigation or otherwise as of the time of this filing.

Defendants nevertheless claim that Jane Doe is entitled to the exceptional relief of a pseudonym notwithstanding: (1) The “strong presumption in favor of open judicial proceedings,” and (2) Doe’s decision to publicly identify herself – by name – and share her identifying information and connection with this lawsuit for publication in various news outlets.

The Court should grant Plaintiff’s Motion to Vacate the Protective Order.

ARGUMENT

A. Jane Doe Has No Remaining Privacy Interests Associated with the Encounter at Issue.

Proceeding under a pseudonym is an “exceptional relief.” *Doe v. Metro. Gov’t of Nashville* 694 F. Supp. 3d 1040, 1043 (M.D. Tenn. 2023). Jane Doe’s privacy interests do not “substantially outweigh the strong presumption in favor of open judicial proceedings.” *Id.* at 1043. Doe has no remaining privacy interest in anonymity in connection with the encounter at issue because she publicly identified herself – by name – as Pastor Johnny’s accuser in a written statement for publication in various news outlets.

Defendants respond, citing the filings made prior to Jane Doe’s public statement and what they presume she still seeks from this Court. Specifically, Defendants state: “Before this court, Jane Doe has consistently expressed a strong interest in protecting her privacy,” and that “Jane Doe continues to seek anonymity and protection of her personal information *in this litigation*.” Doc. No. 327 at 4-5 (emphasis in original). The public statement “from [Jane Doe] regarding Hunt v. Southern Baptist Convention et al, Judge Campbell’s 4/1/2025 ruling and memorandum opinion” identifies Jane Doe, by first and last name in bold lettering, and guides readers directly *to this litigation*. Doc. No. 320-1. Furthermore, Defendants argue that Jane Doe engaged “counsel to preserve that right throughout this litigation.” Doc. No. 327 at 4. Plaintiff defers to Doe’s feature in *The Tennessean*, in which the outlet stated it “received [Doe’s] statement and permission to use her name from her lawyers, Boz Tchividjian and Melissia Hogan.” Doc. No. 320-2 at 2. Neither Jane Doe, nor her counsel, are asserting any interest in protecting her privacy or anonymity in this litigation or otherwise as of the time of this filing. Jane Doe “decided on her own to publicly identify herself” and her connection with this lawsuit in her statement for publication in various news outlets. Doc. No. 320-2 at 2.

For these reasons, Plaintiff's motion to vacate should be granted.

B. The Prejudice and Inefficiency Caused by the Pseudonym Provide a Separate Reason for Granting the Motion.

Defendants separately argue that "Plaintiff Hunt makes no argument to establish prejudice, inefficiency, or other relevant consequence of Jane Doe proceeding pseudonymously. . . ." Doc. No. 327 at 1. The inefficiencies and cost prejudice are clear from the record. To comply with this protective order, Plaintiff has incurred significant expense, filing almost every motion and exhibit under seal and applying redactions to numerous documents. The protective order significantly increases the costs associated with this litigation and creates additional motions for the Court to adjudicate. The pseudonym increases costs and creates inefficiencies for Plaintiff, Defendants, and the Court.

CONCLUSION

As of the time of this filing, the Motion to Vacate has not been opposed by counsel for Jane Doe. Counsel for Doe, Boz Tchividjian and Melissa Hogan, gave *The Tennessean* Doe's statement and permission to use her name in its public article referring to this lawsuit. Doc. No. 320-2 at 2. Defendants have no standing to raise any objection for Jane Doe, especially when she is represented by counsel in this case. Neither Jane Doe, nor her counsel, are asserting any interest in protecting her privacy or anonymity in this litigation or otherwise as of the time of this filing.

Plaintiff respectfully requests that the Court vacate the protective order allowing Jane Doe to proceed under a pseudonym and requiring the redaction of any identifying information. Plaintiff also requests that the Court enter an order authorizing all identifying information to be unsealed and unredacted.

Dated: April 24, 2025

Respectfully submitted,

s/ Andrew Goldstein

Todd G. Cole, Esq., BPR # 031078

Andrew Goldstein, Esq., BPR # 037042

COLE LAW GROUP, P.C.

1648 Westgate Circle, Suite 301

Brentwood, TN 37027

Telephone: (615) 490-6020

Fax: (615) 942-5914

tcole@colelawgroup.com

agoldstein@colelawgroup.com

-and-

Robert D. MacGill, Esq. (*pro hac vice*)

Patrick J. Sanders, Esq. (*pro hac vice*)

MACGILL PC

156 E. Market St.

Suite 1200

Indianapolis, IN 46204

Telephone: (317) 721-1253

robert.macgill@macgilllaw.com

patrick.sanders@macgilllaw.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing Reply in Support of Motion to Vacate Protective Order to be electronically filed with the Clerk of the Court on April 24, 2025, using the CM/ECF system, which will automatically serve all counsel of record listed below:

Todd G. Cole, Esq.
Andrew Goldstein, Esq.
COLE LAW GROUP, P.C.
1648 Westgate Circle, Suite 301
Brentwood, TN 37027
Telephone: (615) 326-9059
tcole@colelawgroup.com
agoldstein@colelawgroup.com

Robert D. MacGill, Esq.
Patrick J. Sanders, Esq.
MACGILL PC
156 E. Market St.
Suite 1200
Indianapolis, IN 46204
Telephone: (317) 721-1253
robert.macgill@macgilllaw.com
patrick.sanders@macgilllaw.com

Counsel for Plaintiff

John R. Jacobson, Esq.
Katharine R. Klein, Esq.
RILEY & JACOBSON, PLC
1906 West End Avenue
Nashville, TN 37203
(615) 320-3700
(615) 320-3737 *Facsimile*
jjacobson@rjfirm.com
kklein@rjfirm.com

Steven G. Mintz, Esq.
Terence W. McCormick, Esq.
Scott Klein, Esq.
Adam Brody, Esq.
Alex Otchy, Esq.
MINTZ & GOLD LLP

R. Brandon Bundren, Esq.
E. Todd Presnell, Esq.
BRADLEY ARANT BOULT CUMMINGS
LLP
1600 Division Street, Suite 700
Nashville, Tennessee 37203
Telephone: (615) 244-2582
bbundren@bradley.com
tpresnell@bradley.com

Scarlett Singleton Nokes, Esq. .
Sheppard Mullin Richter & Hampton LLP
2099 Pennsylvania Avenue, Nw Suite 100
Washington, DC 20006
Telephone: (202) 747-2309
snokes@sheppardmullin.com

Gene R. Besen, Esq.
Sheppard Mullin Richter & Hampton LLP
2200 Ross Avenue, 20th Floor
Dallas, Texas 75201
Telephone (469) 391-7400
Facsimile (469) 391-7401
gbesen@sheppardmullin.com

Thomas J. Hurney, Jr., Esq.
Gretchen M. Callas, Esq.
JACKSON KELLY PLLC
500 Lee Street East, Suite 1600
Post Office Box 553
Charleston, West Virginia 25322
Telephone: 304-340-1000
thurney@jacksonkelly.com
gcallas@jacksonkelly.com

*Counsel for the Executive Committee of the
Southern Baptist Convention*

600 Third Avenue
25th Floor
New York, NY 10016
Telephone: (212) 696-4848
mintz@mintzandgold.com
mccormick@mintzandgold.com
klein@mintzandgold.com
brody@mintzandgold.com
otchy@mintzandgold.com

*Counsel for Defendant
Guidepost Solutions LLC*

L. Gino Marchetti, Jr., Esq.
TAYLOR, PIGUE, MARCHETTI & BLAIR,
PLLC
2908 Poston Avenue
Nashville, TN 37203
Telephone: (615) 320-3225
gmarchetti@tpmblaw.com

Matthew C. Pietsch, Esq.
GORDON REES SCULLY MANSUKHANI,
LLP
4031 Aspen Grove Drive, Suite 290
Franklin, TN 37067
Telephone: (615) 722-9000
mpietsch@grsm.com

Counsel for the Southern Baptist Convention

Melissa J. Hogan, Esq.
QAVAH LAW
8757 Horton Hwy
College Grove, TN 37046
Telephone: (615) 293-6623
melissajhogan@qavahlaw.com

Counsel for Jane Doe

s/ Andrew Goldstein
Andrew Goldstein